

On November 18, 2015, Goodman moved for a sentence reduction under 18 U.S.C.

§ 3582(c)(2), U.S.S.G. § 1B1.10, and Amendment 782. See [D.E. 49]. Goodman's new advisory guideline range is 46 to 57 months' imprisonment, based on a total offense level of 19 and a criminal history category of IV. See Resentencing Report. Goodman requests a 105-month sentence. See id.; [D.E. 57] 1, 7. On December 4, 2015, the government responded in opposition. See [D.E. 50].

The court has discretion to reduce Goodman's sentence under Amendment 782. See, e.g., Dillon v. United States, 560 U.S. 817, 827 (2010); United States v. Peters, 843 F.3d 572, 574 (4th Cir. 2016); United States v. Patterson, 671 F. App'x 105, 105–06 (4th Cir. 2016) (per curiam) (unpublished); United States v. Cole, 618 F. App'x 178, 178–79 (4th Cir. 2015) (per curiam) (unpublished); United States v. Thomas, 546 F. App'x 225, 225–26 (4th Cir. 2013) (per curiam) (unpublished); United States v. Perez, 536 F. App'x 321, 321 (4th Cir. 2013) (per curiam) (unpublished); United States v. Smalls, 720 F.3d 193, 195–97 (4th Cir. 2013); United States v. Mann, 709 F.3d 301, 306–07 (4th Cir. 2013); United States v. Stewart, 595 F.3d 197, 200 (4th Cir. 2010). In deciding whether to reduce Goodman's sentence, the court finds that Goodman engaged in serious criminal behavior. See PSR [D.E. 22] ¶¶ 5–9. Moreover, Goodman is a violent recidivist and has convictions for possession of a handgun by a minor, possession of stolen goods or property, assault with a deadly weapon, and assault with a deadly weapon inflicting serious injury. See id. ¶¶ 13–17. Goodman also has performed poorly on supervision and essentially has no work history. See id. ¶¶ 13, 15–18, 35–36. Goodman has taken some positive steps while incarcerated on his federal sentence, but he has been sanctioned for possessing a tattoo needle, for being in an unauthorized area, and for possession an unauthorized item. See Resentencing Report; cf. Pepper v. United States, 562 U.S. 476, 491 (2011).

Having reviewed the entire record and all relevant policy statements, the court finds that Goodman received the sentence that was “sufficient, but not greater than necessary” under 18 U.S.C.

§ 3553(a). Further reducing Goodman's sentence would threaten public safety in light of his serious criminal conduct, serious criminal history, and misconduct while incarcerated. Cf. U.S.S.G. § 1B1.10, cmt. n.1(B)(ii). Thus, the court denies Goodman's motion for reduction of sentence under Amendment 782. See, e.g., Patterson, 671 F. App'x at 105–06; Cole, 618 F. App'x at 178–79; Thomas, 546 F. App'x at 225–26; Perez, 536 F. App'x at 321.

In sum, the court DENIES Goodman's motions for reduction of sentence [D.E. 49].

SO ORDERED. This 8 day of May 2018.



JAMES C. DEVER III
Chief United States District Judge